

**DISABILITY ADVISORY COMMISSION
MEETING AGENDA**

Monday, November 14, 2011
2:30 p.m. – 5:30 p.m.

San Jose City Hall – Wing Room 120
200 East Santa Clara Street

1. Call to Order/Orders of the Day & Agenda Approval
2. *Approval of August 8, 2011 Commission Minutes
3. Open Forum

Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

Presentations (time certain)

4. 2:45-3:15 ADA Access Exercise for Engineers
 - Lily Lim-Tsao (Division Manager, Dept. of Transportation)
5. 3:15-3:45 Accommodations for City Staff with disabilities
 – Allison Suggs (Interim Return to Work Coordinator, Office of Employee Relations)
6. 3:45-4:15 ADA upgrades and new construction at the Convention Center
 – Paul Marino (Senior Architect, Public Works Dept.)

Reports

7. Chairperson Report (Karl Vidt)
8. Council Liaison Report (Lauren Profeit)
9. Senior Citizens Commission Liaison (Margaret Young)
10. *ADA Coordinator's Report (Gay Gale)
11. Information Gathering Groups
 - a. Emergency Services (Salazar-Torres)

- 11 *b. Employment (Wright)
 c. Outreach (???)
- 12. Standing Reports
 - *a. Transportation (Eljas)
 - *b. City Projects and Accessibility (Vidt)
 - c. Disability Awareness Day (Salazar-Torres)

Old Business

- 13. *Disability Advisory Commission Workplan, assignments, and how the Commission will work (Vidt)
- 14. Development of the Agenda for Roundtable with City Council (Vidt)
- 15. Abilities Expo 2011

New Business

- 16. *Public Right of Way Accessibility Guidelines (Gay Gale)
- 17. Announcements

Adjournment

Next Meeting – February 13, 2012 from 2:30-5:30 in Room W120

* = report attached to Agenda

To request an accommodation for this meeting or an alternative format for any related printed materials, please contact Gay Gale 408-793-4135 or 408-294-9337 (TTY) or gay.gale@sanjoseca.gov as soon as possible, but at least three business days before the meeting.

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DISABILITY ADVISORY COMMISSION

**DISABILITY ADVISORY COMMISSION
MINUTES**

Monday, August 8, 2011
2:30 p.m. – 5:30 p.m.

San Jose City Hall – Wing Room 120
200 East Santa Clara Street

Commissioners Present: Chair Daniel Newell, Vice-Chair Karl Vidt, Commissioners: Dean Chen, Christine Wright, John Robinson, James Westman and Commissioner Emeritus Emma Eljas.

Commissioners Excused: Otila Salazar-Torres, Diane Thompson

Commissioners Absent: Jessica Rauf, Francisco Rodriguez, Commissioner-Emeritus Aaron Morrow

Staff Present: Gay Gale, ADA Coordinator, Lauren Profeit from Councilmember Nancy Pyle's office. Peter Jensen, Acting Assistant Director of Public Works (first hour only)

Members of the Public Present: Mark Romoser (Silicon Valley Independent Living Center)

1. Call to Order/Orders of the Day & Agenda Approval

The meeting was called to order by Chair Newell at 2:48.

(Moved Chen/Seconded Vidt) The Orders of the Day and the Agenda were approved unanimously.

2. Approval of May 16, 2011 Commission Minutes

(Moved Chen/Seconded Vidt) The minutes of the May 16, 2011 Commission meeting were approved unanimously.

3. Open Forum

Commissioners Westman and Wright were reappointed to the DAC by the City Council and were sworn in at the City Clerk's office prior to this meeting.

Commissioner Westman requested a status report on the Medical Marijuana issue. Ms. Profeit indicated that the issue was returning to the City Council for more discussion and action on September 13. Vice Chair Vidt registered his concern that the high fees (7%) charged to the Cooperatives by the City will be passed on to the customers thereby impacting those with the least able to pay.

Old Business

4. Letter to Councilmembers re: Bay Area Coalition for Employment Development (Daniel Newell)

Chair Newell reviewed the role of the Bay Area Coalition for Employment Development (BACED) and confirmed that their conference host a conference event on Friday, November 18. This event will be held at the Convention Center along with the Abilities Expo but it will be a separate event. Chair Newell requested approval to send the letter addressed City Councilmembers that states DAC supports the event and requests their support. The letter was created in May and was pre-circulated with the Agenda for this meeting.

(Moved Robinson/Seconded Vidt) The authorization for the Chair to send the letter in support of the Bay Area Coalition for Employment Development's November 18th Conference to City Councilmembers was approved unanimously.

Reports

5. Council Liaison Report (Lauren Profeit)

The 2011-12 Budget was passed in June. There were many impacts on City services but two areas of significance to all residents were the reduction of open hours at community centers and branch libraries. The modifications of ordinances related to Medical Marijuana will be addressed by the City Council on September 13th. Vice Chair Vidt registered his concern that the 7% tax rate imposed by the City on Medical Marijuana cooperatives will impact those individuals who are least able to pay.

A discussion on proclamations and commendations was held. District 1 will be requesting the proclamation for Disability Awareness Day (October 6). It is unlikely that proclamations regarding similar items (Disability Awareness Month and Employment of People with Disabilities) would be approved by the Mayor in the same month.

Regarding support of the City for the Abilities Expo, Ms. Profeit said that the question of City support was being reviewed by the City Clerk and the City Attorney. The City does not generally support profit-making events and preliminary information seems to indicate that it may not be a correct fit for the City to be a sponsor. However, Ms. Profeit suggested that it may be appropriate for a City Department such as Parks, Recreation and Neighborhood Services to have a display table and maybe the organizers could approach to provide the opportunity without cost in return for the department promoting the event on its website. Chair Newell indicated that the possibility of one or more complimentary booths has been discussed with the Abilities Expo organizers and he feels that it will be forthcoming. Discussion was held around a possible proclamation for November that could combine the Abilities Expo and Employment of People with Disabilities. The DAC could "honor" Manpower and TransAccess for their support by having them receive the Proclamation along with the DAC. If the DAC Officers want to pursue this proclamation, suggested wording should be sent to Ms. Profeit and she will present

the request to Councilmember Pyle. If Commissioner Pyle is amenable, Ms. Profeit will submit the language for approval by the Mayor's office.

(Moved Vidt/Seconded Chen) The DAC Officers are directed to contact the Abilities Expo to confirm City participation and opportunities including the availability of complimentary table(s).

6. ADA Coordinator's Report (Gay Gale)

The ADA Coordinator's report was circulated and several items were discussed. [See Attachment A]

The DAC's request for a presentation by the City's Return to Work Coordinator – Ms. Gale will contact Alison Suggs who is acting in this capacity and ask her to make a short presentation to the DAC on how accommodations are made for employees with a disability.

The Commissioners supported the listing of outstanding City project with an ADA component as part of the ADA Coordinator's Report. Vice Chair Vidt will continue to track and report on Individual items where he has been interested or involved in the planning or pre-development phase.

In the absence of Commissioner Salazar-Torres, Ms. Gale updated the Commission on planning efforts for Disability Awareness Day. The time of the event is 9:00-2:00. The DAC will have a table in the display area.

District 9 requests DAC participation in the Celebrate Cambrian Festival on Sunday, August 28th at Camden Community Center. Ms. Gale was directed to poll commissioners regarding their availability to take part in a 1½ or 2 hour shift. If sufficient positive response is received, Ms. Gale will contact District 9 and reserve a space.

The Public Right of Way guidelines to accessibility requirements were released on July 26, 2011. Ms. Gale will become informed about these Guidelines coordinate the City's response with the Departments of Transportation and Public Works during the comment period which ends in November. She will report further on this topic at the November DAC meeting.

7. Information Gathering Groups

Chair Newell requested a discussion about the number and effectiveness of the Information Gathering Groups with the goal of reduced by the number of groups and increasing the effectiveness of those that remain by eliminating or combining topics.

A proposal to eliminate Housing and Therapeutic Services was made and discussed. Another proposal to suspend some topics rather than eliminate them was discussed.

Discussion in favor of reducing the number of Information Gathering Groups brought up the following points:

- DAC doesn't want to duplicate efforts (i.e. VTA)
- Some information gathering groups have not met at all and there is no progress to report on 2010-2011 Workplan items

- Having so many groups requires each commissioner to be split their participation by being on at least two groups
- Some topics did not have a commissioner interested in leading them (i.e. Housing)
- Some topics were every commissioners responsibility (i.e. community outreach)
- Some topics were “update only” topics (i.e. Therapeutic Services)
- Some topics overlapped one another (i.e. City Projects and Accessibility)

Discussion in favor of keeping the current topics is summarized below:

- Some topics were driven by specific issues that were important
- Not having a topic on the Workplan means that it wouldn't be a standing item on the Agenda

After asking the question “What are the DAC's goals?”, it was agreed to make the following revisions:

- Emergency Services, Employment and Outreach (all types) are the new Information Gathering Groups
- Transportation, City Projects and Accessibility and Disability Awareness Day should become standing reports on the Agenda;
- Housing, Therapeutic Services and other important but issue-driven topics would be added to Meeting Agendas as they occurred.

8. Chairperson Report (Daniel Newell)

Chair Newell reported that he met with Councilmembers Chu, Kalra, Nguyen and Constant. Appointments with Councilmembers Herrera and Rocha regarding the DAC and Employment of People with Disabilities have been calendared. Councilmember Oliverio declined to meet and the others had not scheduled appointments to date.

Chair Newell announced that he was moving to San Francisco later in August and he would be resigning his membership in the DAC because he would no longer fulfill the requirement to live in San Jose. He indicated his continued desire for involvement with the DAC by supporting its goals and activities as well as being a resource to the Commissioners.

New Business

9. Election of Officers – Chair and Vice Chair (Daniel Newell)

Chair Newell opened the floor for nominations for the position of Chair of the Disability Advisory Commission. Chair Newell nominated Vice Chair Vidt. Vice Chair Vidt accepted the nomination. Commissioner Chen nominated Commissioner Wright. Commissioner Wright declined the nomination. There were no further nominations. Chair Newell declared by acclamation that the new Chair of the Disability Advisory Commission is Karl Vidt.

Chair Newell opened the floor for nominations for the position of Vice Chair of the Disability Advisory Commission. Commissioner Chen nominated Commissioner Wright. Commissioner Wright accepted the nomination. There were no further nominations. Chair Newell declared by acclamation that the new Chair of the Disability Advisory Commission is Christine Wright.

Return to Item 7 - Information Gathering Groups

Commissioner Wright briefly reviewed the information in the Employment Information Gathering Report that was circulated with the Agenda. There were no questions.

Commissioner Vidt briefly reviewed the information in the City Projects Information Gathering Report that was circulated with the Agenda. There were no questions.

10. Disability Advisory Council Workplan

Since there was no longer a quorum present at the meeting, action on this item is referred to the Officers and for action and report at the next meeting.

11. Agenda Development – November 14

- Roundtable with City Council – request deferral to the February 2012 meeting
- Lily Lim-Tsao (Dept. of Transportation) presentation on Oakland exercise is confirmed.
- ADA Coordinator Gale is requested to schedule a presentation by the City's Return to Work Coordinator which focuses on accommodations requested/provided/denied to City employees.

12. Adjournment

Next Meeting – November 14 from 2:30-5:30 in Room W120

**Disability Advisory Commission Meeting
November 14, 2011**

**ADA Coordinator's Report
(August -November 2011)**

1. ADA Legislation and Background
 - Read Title II (Public Agencies), Title III (Accessible) and Disability Law Handbook
 - Attended CalTrans public meeting on Public Right of Way Accessibility Guidelines (PROWAG)
 - Shared PROWAG with Public Works Senior Staff
 - Created a joint effort (PW and Transportation) to provide City response to PROWAG
 - Joined White House list-serv and phone meetings re Disability information
 - Met with Cynthia Waddell, former ADA Coordinator for CSJ re history and web accessibility issues
2. DAC Support
 - Prepared meeting materials and confirmed speakers
 - Provided DAC materials for Disability Awareness Day table
 - Answered Commission questions
 - Provided input to Project Diversity Screening Committee to fill vacancies
3. Public Inquiries, Assistance and Outreach
 - telephone referrals
 - assist Occupy Protester with disability issue
 - meeting with Silicon Valley Independent Living Center staff and Board members
4. Events
 - Served on Disability Awareness Day Organizing Committee
 - Attended Disability History Presentation at Silicon Valley Independent Living Center
 - Luncheon speaker at Hearing Loss Association of Silicon Valley
 - City Council Proclamations – Disability Awareness Month, Employment of People with Disabilities
5. Department Liaisons
 - Held quarterly meeting to:
 - Inform liaisons about new regulations
 - Review Department Surveys
 - Train on Making Accessible PDFs
 - Supported City webmasters training on Accessible PDFs
6. Compliance
 - Worked with departments to resolve outstanding issues (see below)
 - Worked with CASp certified inspector to resolve non-profit accessibility issue
 - Worked with IT and vendor to add OCR capability to Multi-Function Devices citywide
 - Sent update request to City Clerk's office re DAC listings

- Outstanding City Projects

ID	Name	11/14/11 Update
IV	Convention Center Renovation and Upgrade	Architects met w/ Karl Vidt to review plans in October; demolition of Old library has started; Presentation to DAC by Paul Marino on 11/14
VI	Fire Station 19 non-compliant slope of sidewalk	Contractor has agreed to make the changes; City staff are creating drawings for the contractor (per David Printy)
VII	Happy Hollow	Contractor has been selected for the last project -wayfinding from bus stop (per Laura Wada)
VIIIA	CH non-compliant spacing w/ bars on wall of bathrooms	Staff continues to research options; project added to Municipal Improvement Program (MIP) items to be prioritized (per Jim Harbin/Matt Morley)
VIIIB	Ramp in Council Chambers	Issue on hold until funding becomes available (per Jim Harbin/Matt Moley)
VIIIC	CDBG Transition Plan not completed	Met w/ CDBG staff; many projects are complete; a revised list of outstanding projects is being developed along with a plan to complete them.
X	Self-evaluation Surveys not returned	Two additional departments completed surveys; outstanding surveys are being addressed with the ADA Liaisons (4 appointees, 2 departments, 3 entertainment venues; 4 libraries)
XII	Making City's Websites more Accessible	Webmasters received training on making accessible pdfs; City's MFDs are being adapted to create OCR (optical character recognition) pdfs instead of images. Instruction sheets for using the OCR function are being developed and training materials for creating accessible pdfs will be created

Disability Advisory Commission (DAC)

Quarterly Update

Date presented to the DAC:

November 1, 2011

Update Created by:

Chris Wright

Focus Item:

Employment

This update is used to organize how information was collected to present to the DAC and to organize any progress a commissioner has made in meeting the DAC's annual goals

Commissioners who assisted with gathering this information:

- Daniel Newell
- James Westman
- Emma Eljas
- Chris Wright

Issue or Topic #1: Review updates from Work2Future on employment issues that affect people with disabilities.

- Continue to invite staff from W2F to DAC's quarterly meetings for any updates on events, job leads, on-site interviews and any W2F services.
- Our team will follow-up on permanently amending Marilyn's job description as "Disability Navigator".

Issue or Topic #2: Promote and encourage the City of San Jose to sponsor and/or participate in programs that encourage the employment of people with disabilities.

- The Abilities Expo/Workforce Development Summit will be coming to the San Jose Convention Center on 11/18 through 11/20.
- City of San Jose council-member's submitted support letters by the DAC requesting financial support for the 2011 WDS. Council member Luccardo contributed \$100.
- D. Newell is working with the SJSU Career Center in restructuring their employer registration process. Businesses and organizations that recruit through SJSU register with the Career Center. The SJSU Career Center is exploring the idea of tracking each employer interested in recruiting people with disabilities.
- Commissioner Wright is rolling out Project Search – a National recognized Internship Program to provide job ready skills and learning workplace etiquette in federal and local businesses.
- We would like to invite other DAC members or non-DAC members to attend our employment information getting team.
- Continued updates on Proclamation and DAD events.

Issue or Topic #3: Promote the City of San Jose's proactive recruitment of people with disabilities for City Employment.

- Marilyn Bess is actively involved with BACED and updating all their resources. She is also using grant money to acquire adaptive technology for all three one-stops.
- Advise the City of San Jose in developing a policy for the timely implementation of reasonable accommodations for City employees with disabilities. Alison Suggs from the City's HR Department has been invited to speak and answer questions at our next DAC meeting.
- Commissioner Newell is working with the SJSU Career Center in restructuring their employer registration process. SJSU Career Center is open to the idea of adding a check box upon registration of each employer to ask if the business is interested in recruiting people with disabilities. This will allow a list to be generated of disability interested businesses that want to actively recruit people with disabilities.

**Disability Advisory Commission (DAC)
Quarterly Update**

Date Presented to the DAC
November 14, 2011

Update Created by
Emma Eljas

Focus Item
Transportation

Commissioner who assisted with gathering this information:
Aaron Morrow

**Report on Committee on Transit Accessibility (CTA) Meeting Oct. 12
(Advises VTA)**

These points address the transportation needs of persons with disabilities.

Light Rail elevator/escalator Retrofit Project was presented. CTA suggested that if delays occur, Paratransit should assist passengers who need it to change stations. Notification of schedule of retrofit will follow accordingly.

CTA received an update regarding the continuing BART Project. Members of CTA brought up the question of working with Paratransit to ensure pickup/drop off to locations of new stations.

Update provided on the Valley Rapid Ride Project. A bus will go from one part of the Valley (ex: Eastridge to Palo Alto) to another with fewer stops.

Information was provided about the issues surrounding a second RTC card used for an attendant. There were concerns raised regarding cost of a database, privacy and fraud issues.

Members had serious concerns about the lack of productivity of the Mobility Option Program and felt they could not support it and that these monies could be spent better elsewhere, e.g., non profit local community.

Disability Advisory Commission (DAC) Quarterly Update

Date presented to the DAC:
November 14, 2011

Update Created by:
Karl J. Vidt

Focus Item:
City Projects

This update is used to organize how information was collected to present to the DAC and to organize any progress a commissioner has made in meeting the DAC's annual goals

Commissioners who assisted with gathering this information:

- Karl Vidt

Issue or Topic #1: Convention Center ADA Deficiencies and Expansion

- Review plans for City projects for accessibility issues.
 - o This project is now progressing. This is a design-build contract meaning the solutions to the deficiencies will be proposed by the consultants during the design and construction process. Met with City Architects and the ADA Coordinator. We reviewed plans for the expansion and the renovation of the existing Convention Center. The demolition of the old MLK library building is progressing. We discussed accessibility to the expansion and the exiting from that area. We also discussed some of the issues in the existing building including rest rooms, power assisted doors, and parking. Since the Convention Center relies on surrounding parking facilities for some of its parking, we discussed required accessible parking spaces and how they are distributed. City staff will be researching how other convention centers in urban area approach the number of disabled spaces when they rely on satellite parking facilities. Also discussed ways to increase accessible parking for events that may require more accessible spaces such as the Abilities Expo this November. Also discussed the staff overlook areas in the exhibit halls and how accessible they need to be. Staff is looking into that issue as well. Other meetings will follow as the project progresses.
- This topic is under Activity 1 of the City Projects Objective; Review plans for capital improvement projects, at appropriate stages of design, to provide input and recommendations to City staff and/or consultants regarding accessibility issues.
- No DAC action is required.

Issue or Topic #2: New Federal Public Right Of Way (PROW) Accessibility Guidelines

- Reviewed the proposed accessibilities guidelines for the public right of way. This includes sidewalk, pedestrian ways, crosswalks, street furniture, signage, pedestrian crossing signals, and street parking. There is a comment period that closes later in November.
 - o I will have met with City Staff to discuss how this will affect San Jose and what changes and issues may come up.
 - o The ADA Coordinator has attended a workshop on this topic and reported to City Staff. Meeting notes are included in the DAC packet.

- The DAC has a chance to give input on this item to be returned to the Department of Justice.
- This topic is under Activity 1 of the City Projects Objective; Review plans for capital improvement projects, at appropriate stages of design, to provide input and recommendations to City staff and/or consultants regarding accessibility issues.
- DAC Action: Forward comments and concerns to City Staff for their response to the Dept. of Justice.

Objective for FY 2011-12	Actions	Timeframe
<p><u>City Projects and Accessibility: (Report)</u> Review and advise on City projects to create a more accessible environment for people with disabilities in the City of San Jose.</p>	<ol style="list-style-type: none"> 1. Review plans for capital improvement projects, at appropriate stages of design, to provide input and recommendations to City staff and/or consultants regarding accessibility issues. 2. Address and make recommendations regarding existing City facility conditions that create barriers to accessibility. 3. Review plans and programs for City sponsored events to provide input and recommendations to City staff regarding accessibility issues. 	<p>Ongoing</p> <p>Commissioners Responsible: (Karl)</p>
<p><u>Disability Awareness Day: (Report)</u> Assist and advise City Council members and City Staff in achieving the goals of the annual Disability Awareness Day for Persons with Disabilities.</p>	<ol style="list-style-type: none"> 1. Attend and participate in Disability Awareness Day planning meetings and/or obtain the minutes from the same meeting. 2. Assist City Staff in planning and evaluating Disability Awareness Day regarding potential program changes or development. 3. Participate in Disability Awareness Day events. 	<p>Ongoing</p> <p>Commissioners Responsible: (Otila)</p> <p>October 2012</p> <p>Commissioners Responsible: (All)</p>

Objective for FY 2011-12	Actions	Timeframe
<p><u>Emergency Services: (Info Gathering Grp)</u> Promote, assist and advise the City Council, Office of Emergency Services and other City departments on appropriate planning and response to meet the unique needs of people with disabilities in emergencies and disasters.</p>	<ol style="list-style-type: none"> 1. Review the current Emergency Operating Plan for the Vulnerable Population and provide input and recommendations as needed. 2. Acquire and review reports from the Office of Emergency Services, as developed by OES, in order to keep informed of changes and developments to the Plan. 	<p>November 2010</p> <p>Ongoing</p> <p>Commissioners Responsible: (Otila, John, Francisco)</p>
<p><u>Employment: (Info Gathering Grp)</u> Review City employment programs and policies that affect persons with disabilities (e.g., accessibility and reasonable accommodations), and advise on ways to promote the employment of persons with disabilities in San Jose and the surrounding area.</p>	<ol style="list-style-type: none"> 1. Review updates from Work2Future on employment issues that affect people with disabilities. 2. Promote and encourage the City to sponsor and participate in programs that encourage the employment of people with disabilities. 3. Promote the City's proactive recruitment of people with disabilities for City employment. 4. Advise City in developing a policy for the timely implementation of reasonable accommodations for City employees with disabilities. 	<p>Ongoing</p> <p>Ongoing</p> <p>February 2011</p> <p>June 2011</p> <p>Commissioners Responsible: (Daniel, Chris, James, Emma)</p>

Objective for FY 2011-12	Actions	Timeframe
<p><u>Outreach: (Info Gathering Grp)</u> Provide input to and coordinate with City Council and City Staff in regard to City policies and procedures pertaining to issues with people with disabilities.</p>	<ol style="list-style-type: none"> 1. Contact City Council and Staff to identify policies and procedures that affect people with disabilities. 2. Advise and make recommendations regarding City policies and procedures pertaining to issues that affect people with disabilities that require review or development. 	<p>Ongoing</p> <p>Commissioners Responsible: (ALL)</p>
<p><u>Outreach: (Info Gathering Grp)</u> Promote awareness of the Disability Advisory Commission in order to generate greater interest and wider input from the public regarding issues pertaining to people with disabilities.</p>	<ol style="list-style-type: none"> 1. Update City Council and City Staff regarding the Disability Advisory Commission's work plan and current projects. 2. Work with City Clerk's office to include Disability Advisory Commission's work plan and annual report on City's website. 3. Provide current information and updates via email and newsletters to the public regarding Disability Advisory Commission projects 4. Invite community organizations and City Departments to present information on their programs and projects concerning access for people with disabilities. 	<p>January 2011</p> <p>January 2011</p> <p>February 2011</p> <p>Ongoing</p> <p>Commissioners Responsible: (Daniel, Aaron, Dean, Chris)</p>
<p><u>Outreach: (Info Gathering Grp)</u> Coordinate with other Boards and</p>	<ol style="list-style-type: none"> 1. Acquire and review reports from other Commissions 	

Objective for FY 2011-12	Actions	Timeframe
Commissions on common issues.	<ol style="list-style-type: none"> 2. Review agendas, minutes and work plans of other Commissions for items of common interest. 3. Coordinate with other Commissions and/or staff on issues of common interest. 	<p>May 2011</p> <p>Commissioners Responsible: (Diane, Aaron, Dean)</p>
<u>Services for Persons w/ Disabilities: (Report)</u> Assist and advise Therapeutic Services in achieving the goals of the Strategic Plan, Services for Persons with Disabilities.	<ol style="list-style-type: none"> 1. Attend Therapeutic Services Strategic Plan Services for Persons with Disabilities Board meetings and/or obtain the minutes from the same meeting. 2. Assist City Staff in evaluating the Strategic Plan for persons with disabilities regarding potential program changes or development. 	
<u>Transportation: (Info Gathering Grp)</u> Provide input to City Council members regarding transportation issues that affect San Jose citizens, workers, and visitors with disabilities.	<ol style="list-style-type: none"> 1. Review changes in VTA policies regarding paratransit and fixed route services. 2. Make recommendations, as appropriate, to VTA policies regarding paratransit and fixed route services. 	<p>Ongoing</p> <p>Commissioners Responsible: (Dean, Emma, Aaron)</p>



Overview of the Proposed Guidelines for Public Rights-of-Way

This overview highlights provisions in the Access Board's proposed guidelines for accessible public rights-of-way and also includes answers to common questions. The Board's published proposal discusses in greater detail provisions of the rule.



Scope of the Guidelines

The Access Board's proposed guidelines address access to newly constructed and altered public streets and sidewalks covered by the American with Disabilities Act (ADA) and, in the case of those federally funded, the Architectural Barriers Act (ABA) or the Rehabilitation Act. In alterations, these requirements would apply within, not beyond, the planned scope of a project. The guidelines do not apply to existing public rights-of-ways except those portions that are altered. Program access mandates of the ADA and the Rehabilitation Act may require access improvements to existing pedestrian networks, but these obligations are regulated by other agencies, such as the Department of Transportation and the Department of Justice, not the Access Board.

Accessibility Addressed

Many provisions are designed to ensure that public rights-of-ways contain a continuous accessible route that accommodates all pedestrians, including those who use mobility aids. These requirements also benefit many other users, including those traveling with strollers. The guidelines also address access for people who are blind or who have low vision and include requirements to mediate potential hazards along public streets and sidewalks. These include provisions that cover tactile warnings at transitions to streets, accessible pedestrian signals, signalization at traffic roundabouts, and objects that protrude into circulation paths.

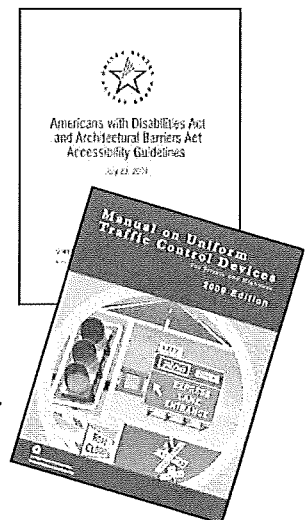
Recognized Constraints and Exceptions

The guidelines take into account conditions typical of roadway geometry and common constraints unique to public rights-of-way in order to facilitate compliance and minimize impacts. For example, the grade of accessible pedestrian routes is permitted to follow those of adjacent streets. In alteration projects, departures are allowed where existing constraints, such as terrain, space limitations, drainage requirements, and historic features, make compliance impracticable. The guidelines also exempt from coverage utility vaults and tunnels and other spaces used only by service personnel.

Relationship to Other Guidelines and Requirements

The Board's ADA and ABA Accessibility Guidelines address access to buildings and facilities located on sites. Standards based on these guidelines apply within the boundary of covered sites as defined by property lines and public rights-of-ways. In covering public rights-of-ways, the new guidelines essentially pick up where these guidelines leave off. The proposed rights-of-way guidelines reference requirements in the ADA and ABA guidelines for certain elements, such as toilet facilities and escalators.

The guidelines also refer to requirements in the most recent edition (2009) of the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways to ensure consistency and to avoid redundancy. Specifically, the guidelines invoke MUTCD definitions and technical criteria for temporary alternate pedestrian routes and pedestrian signals and push buttons.



What the Guidelines Cover

The guidelines cover pedestrian features in new or altered public right-of-ways, including sidewalks and other pedestrian ways, street crossings, medians and traffic islands, overpasses, underpasses and bridges. On-street parking, transit stops, toilet facilities, signs, and street furniture are also addressed. The guidelines apply to permanent as well as temporary facilities, such as temporary routes around work zones and portable toilets. Provisions in the guidelines address:

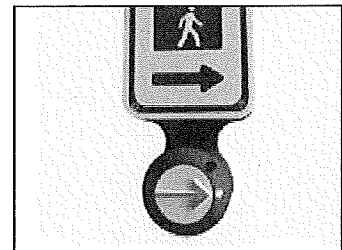
- Pedestrian Access Routes (including sidewalks, street crossings, curb ramps/ blended transitions)
- Detectable Warning Surfaces
- Roundabouts
- Transit Stops and Shelters
- Pedestrian Signals
- On-Street Parking and Passenger Loading Zones
- Street Furniture and Other Elements

Pedestrian Access Routes

A continuous accessible pedestrian route at least 4 feet wide is specified along pedestrian networks. Most provisions apply only within this portion of public rights-of-way, although some requirements, such as those limiting hazards posed by protruding objects, apply to all areas of circulation. Specifications for the grade and cross slope of pedestrian access routes take into account factors such as terrain and drainage requirements. Specifications are provided or referenced for route components, including curb ramps, blended transitions such as depressed corners and raised street crossings, ramps, elevators, stairways, and handrails.

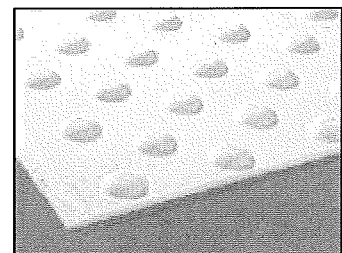
Pedestrian Signals

The guidelines do not require intersections to be signalized for pedestrians, except at certain roundabouts and channelized turn lanes. Instead, they generally apply MUTCD requirements only where pedestrian signals are provided. Pedestrian signals and push buttons meeting MUTCD criteria integrate discreet locator tones and vibro-tactile indicators of walk/ don't walk cycles. Unlike earlier technologies, current products create very little noise because the low-volume tone, often a ticking sound, is used to indicate the location of vibro-tactile signals and push buttons, not to broadcast walk cycles. The guidelines also specify signal phase timing based on a maximum traveling speed of 3.5 feet per second.



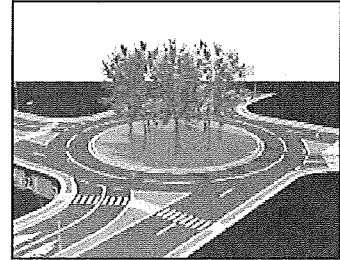
Detectable Warning Surfaces

Detectable warnings, a distinct tactile surface of truncated domes, are specified to alert pedestrians with vision impairments of transitions to vehicle ways and of open drop-offs at transit platforms. The guidelines propose requiring these warnings at curb ramps and blended transitions which remove tactile cues otherwise provided by curb faces. The Board also proposes requiring them at certain pedestrian refuge islands above a specified width, at-grade pedestrian-only rail crossings, and transit stop boarding platforms or areas. Requirements for detectable warnings on curb ramps were previously included in the Board's guidelines for buildings and facilities but were removed in the last update in deference to this rulemaking. Detectable warnings on curb ramps and blended transitions are especially important along public sidewalks where hazards posed by vehicle traffic are greater.



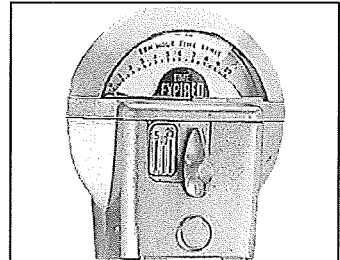
Roundabouts

Circular intersections or “roundabouts,” by their continuous traffic flow and non-linear pedestrian routes, are often difficult for people with vision impairments to safely navigate. The guidelines include requirements for pedestrian activated signals at roundabouts with multi-lane crossings and multi-lane channelized turn lanes. The guidelines also call for tactile barriers or warnings along portions of sidewalks flush against the curb where pedestrian crossing is not intended.



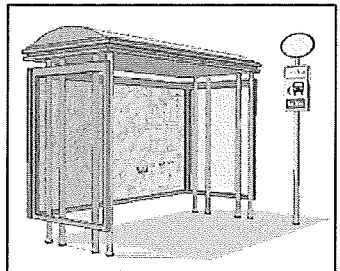
On-Street Parking and Passenger Loading Zones

Where marked or metered on-street parking is provided, the guidelines specify the minimum number that must be accessible based on the total number provided on a block perimeter. In general, at least 4% of spaces must be accessible (scoping lowers to 2% for amounts between 101 and 200 spaces). Adjoining access aisles must serve spaces, but in the case of parallel parking, only where the sidewalks are wide enough (14 feet minimum) to accommodate them. Perpendicular and angled spaces, parking meters and pay stations, and passenger loading zones (other than transit stops) are covered as well. Accessible passenger loading zones are required for every 100 feet of continuous loading zone space provided.



Transit Stops and Shelters

Provisions for transit stops address boarding and alighting areas, including their size and grade, boarding platforms, and provided shelters. These requirements require sufficient space so that people with disabilities, including those who used wheeled mobility aids, can board or disembark from transit vehicles and have equal access to shelters.



Street Furniture and Other Elements

The guidelines cover street furniture and other elements that serve public rights-of-way, including drinking fountains, toilet facilities, and benches. Some elements are addressed through references to the relevant sections in the ADA and ABA Accessibility Guidelines. Components such as ramps, stairways, and escalators are also addressed, as are signs, protruding objects, and operable parts.

Answers to Common Questions

Will existing streets and sidewalks have to be modified to meet the new guidelines?

No. The guidelines apply only to those portions of public rights-of-way that are newly constructed or altered. They do not apply to existing public rights-of-way outside of planned alterations. Jurisdictions can voluntarily consult the guidelines in undertaking access improvements at existing streets and sidewalks.

Will these guidelines significantly impact the design of streets and sidewalks?

Accessibility in general often has minimal impacts when properly integrated into planning and design. However, constraints and conditions unique to public rights-of-ways can pose significant challenges, which is why the Board is developing these guidelines separately from its guidelines for buildings and facilities. As proposed, the guidelines accommodate typical roadway geometry, such as specifying grades and cross slopes for pedestrian access routes based on the established street grade. Projects involving existing streets and sidewalks may be further constrained by limited space and right-of-way availability, underlying terrain, underground structures, drainage, and other factors. The guidelines allow departures in alterations where existing physical constraints make compliance impracticable. These and other allowances will greatly mediate the impacts of the guidelines.

Won't requirements for accessible pedestrian signals cause noise pollution?

No. Current pedestrian signal devices, which have become the norm, feature discreet tones or ticks that indicate the location of nearby push buttons and tactile signals that silently vibrate to indicate walk cycles. The locator tone is not used to broadcast walk cycles. To be effective, the locator signal is designed to be audible only within the vicinity of the signal or push button. Earlier technologies that used louder chirps and tones to indicate walk cycles are no longer in use and are not required by the guidelines.

Why are requirements for detectable warnings, which were removed from the Board's facility guidelines, included in this rule?

The Board considers detectable warnings on curb ramps and blended transitions important in the public rights-of-way realm where hazards to people with vision impairments posed by vehicle traffic are greater. At facilities located on sites, such hazards are often reduced by lower traffic speeds, traffic calming measures, and pedestrian right-of-way. Detectable warnings re-establish a tactile boundary between pedestrian and vehicular ways that is taken away by the removal of curb faces at ramps and blended transitions. The proposed guidelines, like the Board's facility guidelines, also require detectable warnings along unprotected drop-offs at boarding platforms in transit stations.

What are the next steps in finalizing these requirements?

The Access Board will proceed to finalize the guidelines based on the public comments received on this proposal. Once finalized, the guidelines, though usable, will not actually be mandatory until implemented as enforceable standards by other agencies such as the Department of Transportation and the Department of Justice.

What should be applied to public rights-of-way under design at this time or in the near future?

Design guides and manuals on accessible public rights-of-ways and information gathered in the course of this rulemaking are available on the Board's [website](#) as interim resources until these guidelines are completed. In addition, the Board regularly provides technical assistance and training on this subject upon request. For further information, contact the Access Board at ta@access-board.gov (technical assistance), training@access-board.gov (training), (800) 872-2253 (v), or (800) 993-2822 (TTY).

UNITED STATES ACCESS BOARD

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